

SENT BY: SH&B;
TO: PTO CENTRAL FAX

503 574 3197;
AT: 17038729306

AUG-20-04 3:40PM;

PAGE 1

Smith-Hill and Bedell, P.C.

PATENT AND TRADEMARK LAWYERS

John Smith-Hill

Daniel J. Bedell

12670 NW Barnes Rd., Suite 104
Portland, Oregon 97229
Telephone: (503) 574-3100
Facsimile: (503) 574-3197

RECEIVED
CENTRAL FAX CENTER
AUG 20 2004

OFFICIAL

FACSIMILE COVER SHEET

To: Art Unit 2635

From: John Smith-Hill

Firm: US PATENT AND
TRADEMARK OFFICE

Date: August 20, 2004

Fax: 1-703-872-9306

Our ref: TUT 3094

Your ref: 09/945,445

Pages: Cover + 2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ian MOIR

Art Unit: 2635

Application No: 09/945,445

Examiner:

Filed: August 31, 2001

RECEIVED
CENTRAL FAX CENTER
AUG 20 2004

For: METHOD AND SYSTEM TO IMPLEMENT POLICY-
BASED NETWORK TRAFFIC MANAGEMENT

OFFICIAL

TRANSMITTAL OF POWER OF ATTORNEYCOMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a power of attorney. Please record
007812 as the Customer Number for this application.

In accordance with the instructions in the power of attorney,
please direct all future correspondence to the correspondence address
associated with Customer Number 007812.

Respectfully submitted,

John Smith-Hill
Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.
12670 NW Barnes Road, Suite 104
Portland, Oregon 97229

Tel. (503) 574-3100
Fax (503) 574-3197
Docket: TUT 3094

Certificate of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted
to the Patent and Trademark Office on the date shown below.

John Smith-Hill

Date

TUT 3094

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Art Unit: 2635

Ian MOIR

**RECEIVED
CENTRAL FAX CENTER
AUG 20 2004**

Application No: 09/945,445

Examiner:

Filed: August 31, 2001

For: METHOD AND SYSTEM TO IMPLEMENT POLICY-
BASED NETWORK TRAFFIC MANAGEMENT**OFFICIAL**CERTIFICATE UNDER 37 CFR 3.73(b)
POWER OF ATTORNEY BY ASSIGNEE

TUT SYSTEMS INC., a Delaware corporation, certifies that it is the assignee of the entire right, title, and interest in the U.S. patent application identified above by virtue of an assignment from the inventor(s) (Ian Moir) to TUT SYSTEMS, INC. recorded January 30, 2002 at Reel 012566, Frame 0928.

The undersigned declares that he is an officer of TUT SYSTEMS, INC. and is authorized to sign this certificate on behalf of TUT SYSTEMS, INC.; and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Sec. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

TUT SYSTEMS, INC. as Assignee of the entire right, title, and interest in and to this U.S. patent application, hereby revokes any previous Powers of Attorney and appoints the practitioners associated with Customer Number 007812 (John Smith-Hill, Reg. No. 27,730 and Daniel J. Bedell, Reg. No. 30,156) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent.

Send correspondence to the correspondence address associated with Customer Number 007812.

TUT SYSTEMS, INC.

By:

Name: Randall K. GausmanTitle: CFO & SecretaryDate: August 18, 2004